cases are far from being unanimous in this view. *Knisley v. Pratt,* 148 N. Y. 372, 42 N. E. 986, 32 L. R. A. 367. For a fuller discussion, see 4 MICHIGAN LAW REVIEW, 165.

MASTER AND SERVANT—NEGLIGENCE OF VICE PRINCIPAL.—It was the duty of a sawyer in a lumber mill to operate the saw and direct the men working with him, who were hired and discharged at his request by the foreman. As one of the men was reaching across a "nigger", which was perfectly safe when in its slot, the sawyer put the "nigger" into operation and injured the employee. *Held,* the sawyer is vice principal and the master is liable for his failure to warn an employee placed in a position the danger of which was unknown to the employee but known to the sawyer. *Dossett* v. *St. Paul & Tacoma Lumber Co.* (1905), — Wash. —, 82 Pac. Rep. 273.

This case is interesting as indicating how far some courts are carrying the superior servant idea, but it is in accord with the Washington decisions in that regard. *Sroufe et al.* v. *Moran Bros.,* 28 Wash. 381, 68 Pac. 896, 58 L. R. A. 313, 92 Am. St. Rep. 847. The facts show, however, that the holding is placed on peculiar ground. The place was not necessarily dangerous, being in full view of the sawyer, and was made dangerous only by his direct act. The latent danger was as well known to the employee as to the sawyer. II LABATT, MASTER AND SERVANT, p. 1460; *Martin* v. *A. T. & St. F. R. R.* 166 U. S. 399, 2 MICHIGAN LAW REVIEW 79, 90. However, there is authority for holding the master liable for the direct negligent acts of the vice principal under the doctrines first laid down in *Crispin* v. *Babbitt,* 81 N. Y. 516. In the dissenting opinion of EARL, J., in which he contends that a vice principal is the *alter ego* of his master who is responsible for all his acts. It certainly seems more satisfactory than the Washington view that one may be a fellow servant as to the manual acts complained of, but a vice principal as regards his duty to warn the servant of the pending danger from these acts, known to the vice principal but not to the servant. *Nelson* v. *Navigation Co.,* 26 Wash. 548, 67 Pac. 237.

MASTER AND SERVANT—VIOLATION OF EMPLOYERS' LIABILITY ACT—CONTRIBUTORY NEGLIGENCE.—Where a statute requires certain precautions to be taken by a mine owner to render his premises safe for employees and a miner is injured because of the owner's failure to comply with the statutory requirement, *held,* that plaintiff's contributory negligence was no defence to an action by him based upon the defendant's failure to comply with the statute. *Kellyville Coal Company* v. *Strine* (1905), — Ill. —, 75 N. E. Rep. 375.

The Illinois courts in a long line of decisions have consistently adhered to the position above taken. The great weight of authority, however, is contrary to the Illinois view. *Railway Company v. Craig,* 73 Fed. Rep. 642, 19 C. C. A. 631; *Taylor* v. *Manuf'g Company,* 143 Mass. 470, 10 N. E. 308; *Holum* v. *Railway Company,* 80 Wis. 299, 50 N. W. 99; *Coal Company* v. *Muir,* 20 Colo. 320, 38 Pac. 378. Many of the Illinois cases cited in the principal case confuse the doctrines of contributory negligence and assumed risk. (See 4 MICHIGAN LAW REVIEW 165.) The distinction is well brought out in *Railway Company* v. *Baker,* 33 C. C. A. 468, 91 Fed. 224. There a federal